

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF JUNE

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10193 of 1996

Between:

Peela Rama Krishna

Secretary, A.P.Jeeva Raksha Sangham, Guntur

..... PETITIONER

AND

1 The Chief Secretary,

Govt. of A.P, Hyderabad

2 The Principal Secretary

Govt. of A.P., Animal Husbandary and Fisheries Department,
Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to save the Poor animals by issuing notices to all the District Collectors and especially to the Commissioners of Police to save the animals and to take steps for enforcing Sections 5 & 6 of the A.P. Prohibition of Cow Slaughter and Animal Preservation Act (State Act No.11 of 1977) and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner: SMT.A.PADMA

For the Respondents.: GP FOR ANIMAL HUSBANDARY

The Court Made the Following :

ORAL ORDER:(per the Hon'ble The Chief Justice)

This writ petition was instituted on the basis of two letters alleged to have been sent by one Peela Ramakrishna Secretary, A.P. Jeeva Raksha Sangham, Guntur, to this Court. In the first letter, it was stated that on 'Bakrid' day the muslim community sacrifices number of sheep and other animals, which are protected by the A.P. Cow slaughter, Prohibition and Animal Preservation Act, 1977 and in the year 1982 the association had submitted many a representation to the Government and the Government have been issuing circulars to the authorities concerned but the authorities are not enforcing the law. The direction sought that all District Collectors and especially the Commissioners of Police be asked to save the animals.

Similarly in the 2nd letter it is stated that in 'Gorantla' in Ananthpur District, cattle useful for agriculture and milch cattle are sold for being slaughtered in violation to the Act and a similar direction was sought in the said letter.

After notice, affidavit in reply was filed by Sri G V V S Murthy, Assistant Secretary to Government in the Department of Animal Husbandry and fisheries on behalf of the respondent. It is stated that against the indiscriminate killing of animals, Government promulgated the Act of Prohibition of Cow slaughter and Animal preservation Act, 1977. All Municipalities are maintaining slaughter houses and allowing the animals for slaughter under the supervision of the qualified technical persons who conduct ante-mortem and post-mortem examinations observing the existing laws in force. It is also stated that Prohibition of Cow slaughter and Animal preservation Act, 1977 is strictly being implemented and at the relevant time, the

Department had deputed 5 Veterinary Assistant Surgeons to M/s Al-Kabeer Export Ltd, at Rudraram village, Patancheru, Medak District to ensure continuous vigilance. To avoid mal practices, Veterinary Doctors working at M/s Al-Kabeer have been deputed exclusively for the said purpose. No complaints were received in the office of the Joint Director (Animal Husbandry) Ananthpur from the local people with regard to the illegal sale in the Gorantla Shandy.

From the affidavit filed in reply, it appears that as per the respondents, no complaints have been received and the Act is being strictly implemented. Learned counsel for the Petitioner however submits that as and when complaints are submitted, they are not being properly looked into. Considering the affidavit filed by the Petitioner and counter affidavit filed on behalf of the respondent, we are of the view that no further direction deserves to be issued in this Writ petition except by directing the respondents that in case local Joint Director of Animal Husbandry or District Collectors or Director of Animal Husbandry are approached by the petitioner with any specific complaint, they will be well advised to examine the complaint on merits and take appropriate action in accordance with law in case any violation is noticed by them.

The writ petition is accordingly stands disposed of. No costs.

DEVINDER GUPTA, C.J.

G. ROHINI, J.

Kvsn/TVR

To

- 1 The Chief Secretary,
Govt. of A.P, Hyderabad
- 2 The Principal Secretary
Govt. of A.P., Animal Husbandary and Fisheries Department,
Hyderabad
3. The G.P. for Revenue (OUT)
4. Two C.D. copies.